

## REMARKS

In accordance with the foregoing, Claims 14-22 are pending and under consideration. Claim 14 is amended. Support for the amendment to Claim 14 can be found throughout the specification as originally filed, for example, at paragraphs [0011], [0014], [0015] and [0022] (as published). Of Claims 14-22, Claim 14 is independent. No new matter is presented in this Amendment. Applicant respectfully requests the Examiner to reconsider the claims and withdraw the outstanding rejections in view of the foregoing amendment and following remarks.

### ***Rejection Under 35 U.S.C. §102(b):***

The Official Action rejects Claims 14, 15, 17, 19, 20 and 22 under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 4,414,028 to Inoue (hereinafter "Inoue"). Applicant respectfully traverses this rejection for at least the following reasons.

As stated in MPEP §2131, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Inoue does not disclose each and every element as set forth in Claim 14.

Claim 14 recites a method for pressing a ceramic stacked layer structure, comprising, *inter alia*, the steps of laterally holding sidewalls of a die at a predetermined position on a die base using a plurality of thrust mechanisms, and vertically pressing the ceramic layered structure in the recess between the bottom plate and a top die and while applying lateral force via the plurality of thrust mechanisms on outer faces of the sidewalls in horizontal directions toward the

recess, wherein the ceramic layered structure is a plurality of ceramic green sheets stacked on one another.

The Official Action states on page 2:

With regard to claims 14 and 20, Inoue discloses a method for pressing a ceramic stacked layer structure (col. 3, lines 1-5) comprising the steps of: laterally holding sidewalls of a die at a predetermined position on a die base using a plurality of thrust mechanisms (fig. 1), wherein the die (2d) has a bottom plate and sidewalls forming a recess for receiving the ceramic layered structure (2a, 2b, 2c); and vertically pressing the ceramic layered structure in the recess between the bottom plate and a top die and while applying lateral force via the plurality of thrust mechanisms (Abstract; fig. 1) on the outer faces of the sidewalls in horizontal directions (6a, 6b) toward the recess (fig. 1) simultaneously.

The Applicant respectfully disagrees. Inoue discloses "a sinterable mass of particles 1 which may be precompacted to form a so-called "green compact" shown imbedded in a mass of heat-resistant material 2 which comprises, for example, three layers 2a, 2b and 2c." (col. 2, line 68 to col. 3, line 4) That is, the heat-resistant material is a powdery mold 2 which transfers the pressure onto the sinterable mass 1. (col. 3, lines 52-63) Inoue does not disclose a ceramic stacked layer structure of ceramic green sheets as recited in Claim 14. Furthermore, Inoue does not disclose a die as recited in Claim 14. Inoue discloses "a flexible membrane 2d may be used to enclose the outermost powdery layer 2c." (col. 3, lines 32-38) In the pressing method disclosed by Inoue, the sinterable mass of particles is imbedded in a mass of particulate heat-resistant material followed by applying a pressure externally to the mass of particulate heat-resistant material. (col. 2, lines 24-27) Therefore, Inoue does not disclose a method for pressing a ceramic stacked layer structure, as recited in Claim 14, the method "comprising the steps of laterally holding sidewalls of a die at a predetermined position on a die base using a plurality of thrust mechanisms,

wherein the die has a bottom plate and the sidewalls forming a recess for receiving the ceramic layered structure, and vertically pressing the ceramic layered structure in the recess between the bottom plate and a top die and while applying lateral force via the plurality of thrust mechanisms on outer faces of the sidewalls in horizontal directions toward the recess, wherein the ceramic layered structure is a plurality of ceramic green sheets stacked on one another."

Accordingly, Applicant respectfully requests the Examiner withdraws the rejection to claim 14 under 35 U.S.C. §102(b).

Claims 15, 17, 19, 20 and 22 are considered patentable at least because they depend from Claim 14 which is patentable. A dependent claim contains all of the subject matter claimed in the independent claim from which it depends. Claims 15, 17, 19, 20 and 22 are therefore patentable at least because they incorporate all of the claim limitations of Claim 14.

At least for the foregoing reasons, Applicant respectfully requests, that the rejection of Claims 15, 17, 19, 20 and 22 under 35 U.S.C. §102(b) be withdrawn, and these claims allowed.

***Rejection Under 35 U.S.C. §103(a):***

The Official Action rejects Claims 16, 18 and 21 under 35 U.S.C. § 103(a) as allegedly unpatentable over Inoue alone or in view of U.S. Patent No. 5,370,760 to Mori et al. (hereinafter "Mori"). Applicant respectfully traverses the rejection for at least the following reasons.

Claims 16, 18 and 21 are considered patentable at least because they depend from Claim 14 which is patentable. As stated in MPEP §2143.03, "All words in a claim must be considered in judging the patentability of that claim against the

prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Mori does not cure the deficiency of Inoue with respect to Claim 14. Accordingly, Applicant respectfully requests withdrawal of this ground of rejection.

**Conclusion:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 02-4800.

Respectfully submitted,

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